

S Ohio  
C. C. W. S.

No. ~~750~~ ~~631 322~~ 95  
8039

William C. M. Baker

D. Appellant

Elizabeth Selden

Filed 13<sup>th</sup> January 1877

Record Book Court Room  
19 - 1877



Supreme Court of the United States  
No. 322.

William C. M. Baker - Appellant

vs  
Elizabeth Selder

Appeal from the Circuit Court of  
the United States for the Southern  
District of Ohio

Filed 13<sup>th</sup> January 1877  
— Index —



Supreme Court of the United States.

October Term, 1879.

William C. M. Baker.

vs. Appellant,

Elizabeth Selden.

Appeal from the Circuit Court of the United States for  
the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from  
the Circuit Court of the United States for the Southern  
District of Ohio, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged, and  
decreed by this Court, that the decree of the said Circuit Court,  
in this cause, be, and the same is hereby reversed with costs.  
And that this cause be, and  
the same is hereby remanded  
to the said Circuit Court with  
directions to dismiss the com-  
plainant's bill.  
per Mr Justice Bradley  
19 January 1880-



Capt & Boyd Dr  
 571 1/2  
 Cincinnati  
 Dec 10

Power of the 26<sup>th</sup> inst rec<sup>d</sup>

[illegible]



32<sup>n</sup>  
Law Offices of  
Taft & Lloyd,

S. W. COR. FIFTH AND WALNUT STS.

Cincinnati, June 26<sup>th</sup> 1878

Mr. Middleton, Esq.

Clerk of the Supreme Court of the United States  
Washington, D. C.

Dear Sir:

In the case of W. C. M. Baker vs. Elizabeth  
, appealed from the Circuit Court for the South  
West. of Ohio, will you please inform us if the  
d had been printed, and if so will you send us  
py at once? Will you also inform  
to its relative position on the Calendar and  
prospects of reaching it at the December Term  
the Court and greatly oblige?

Yours Very Truly,  
Taft & Lloyd



3<sup>rd</sup> record  
29 Jan 4

W. C. M. Baker }  
vs  
Elizabeth Selden }

No 322.

Will you please send me a second  
copy of the printed record and  
oblige  
Truly yours  
H. P. Lloyd

Supreme Court of the United States.

October Term, 1879. No 322. 95

Elizabeth Belden

vs.

H. C. M. Baker

Received from the Clerk a copy of the record as Counsel for

Tiffin Error. Appellant.

H. P. Lloyd

Please sign and return.



IN RE

ALPHONSO TAFT.

H. P. LLOYD.

Law Offices of  
Taft & Lloyd,

S. W. COR. FIFTH AND WALNUT STS.

Cincinnati, July 16<sup>th</sup> 1879.

Clerk of the Supreme Court of the United States.

Dear Sir:

The above entitled case was numbered 322 upon the docket of the October Term, 1878. If your new docket for October Term 1879 is ready, will you please send us a copy; and if not, will you please inform us what number the above case will bear upon the new-docket that we may know about what time it will be reached, and greatly oblige.

Yours very truly  
H. P. Lloyd

79 July 18  
No 95 for 79<sup>th</sup> term  
reached Nov  
or Dec next  
Do you want  
copy printed docket  
when ready.



Supreme Court of the United States.

October Term, 1878. No 322.

Mr C. M. Baker

vs.

App't

Elizabeth Selan

The Clerk will enter my appearance as Counsel for Appellee

C. W. Moulton



Supreme Court of the United States.

October Term, 1879. No. ~~344~~. 95

William C. M. Baker, Appellant

vs.

Elizabeth Selden

Received from the Clerk a copy of the record as Counsel for Defendant in Error

C. M. Monette

Please sign and return.



964  
Elizabeth

US.

Wm C. M. Baker

F. NOYES.

Transcribed Docketed case  
966- sig 7 & returned order  
Law Offices of 77 Jan'y 13

H. P. LLOYD.

Noyes & Lloyd,

S. W. COR. FIFTH AND WALNUT STS.

Cincinnati, Jan'y 10<sup>th</sup> 1877

D. W. Middleton Esq - Washington D. C.

Dear Sir I send you herewith by Express, the transcript of proceedings in the above entitled case, in the U. S. Circuit Court, Southern Dist of Ohio I send also three original Exhibits viz; "B" and "No 1." + "No 2" as referred to in the testimony, also a certified copy of the court order requiring their return after the argument of the cause in Supreme Court.

I also inclose a bond for the costs, with the certificate of the clerk as to sufficiency. Enter our firm as counsel for Baker Appellant -

Be kind enough to acknowledge the receipt of the transcript and give me the date of the filing and the number on your docket -

I have the honor to be  
Very Respectfully Yours  
H. P. Lloyd



Supreme Court of the United States.

October Term, 1876. No. 96.

Elizabeth Selden. Appellee

vs.

W. C. M. Baker. Appellant

The Clerk will enter <sup>our</sup> ~~my~~ appearance as Counsel for

W. C. M. Baker Appellant.

Boyes and Lloyd  
Cincinnati, O.



95

Feb 11<sup>th</sup> 80

W. P. Lloyd Esq  
Cincinnati, Ohio

Dear Sir

I sent the bill for the whole costs in case of Baker vs Selden No 95. to Mortimer Johnson very some time since and have a letter from them in which they state that their "Client is wholly unable to pay these costs or any portion of them." I now enclose bill for amt of costs for which your Client is liable and ask your kind attention to same.

You will have execution on the mandate for amt paid by your Client.

Yours &c  
Mortimer Johnson



Feb 16<sup>th</sup> 80

Wm Lloyd Garrison  
Care of the Hall  
Cincinnati Ohio

Dear Sir

Yours of the 13<sup>th</sup> inst recd.  
I enclose item bill of costs and  
by your client in case of  
Baker vs Selden No 95 Q. S. 1879 -

The item of \$140.<sup>00</sup> for "my copy  
fee" is for one copy of  
deeds for which I am entitled  
to charge under the rule. \$4. Recd

Yours  
D. W. M. Adams  
New York



Law Offices of

Taft and Lloyd,

S. W. COR. FIFTH AND WALNUT STS.

Cincinnati, February 13<sup>th</sup> 1880Middletown, Esq, Clerk of the Supreme Court U.S.  
Washington, D. C.

Dear Sir:

Your favor of the 11<sup>th</sup> enclosing bill against W. C. M. Baker, is just at hand. Our client resides in Columbus, and we will forward the bill to him at once. We fear he will be astonished at the amount, as he had expected in the event of success to be released from the payment of any costs. He will desire an itemized bill of these costs and we shall be glad to have you send this to us at once + greatly oblige.

Yours very truly,

Taft &amp; Lloyd



95

Docket Page 338

In Re

If convenient, please return this letter with your answer endorsed on

C. H. Moulton.

J. W. Johnson.

Sipman Secy

Selden

v  
BakerMoulton, Johnson & Secy.  
Lawyers.

Cincinnati, O Feb 8' 1880

S. W. Middleton Esq

Clerk of Supreme Court  
Washington D.C.

Sir

Your favor of 27<sup>th</sup> ult enclosing cost  
bills in this case at hand.

We regret to state that our  
client is wholly unable to pay these costs  
or any portion of them. Our labor in the case  
and all our outlays in it, will have to go  
unpaid. We had nothing to do with the case  
until after it got into the Supreme Court and we  
took hold of it from friendly considerations  
only.

Yours respectfully  
Moulton Johnson & Secy



Feb 20 80

Wm Lloyd Garrison  
St. Cr 5th & Walnut  
Cincinnati Ohio

Dear Sir

Yours of the 18th inst recd  
I am entirely willing that  
your client should have any  
reasonable time, you may check  
necessaries within which to pay  
my bill against him and hope  
you will give him such time.  
You will please accept my  
thanks for your prompt attention  
to my interest and believe me

Yours truly  
D. O. Middleton  
partner



ces of  
 Taft and Lloyd,

S. W. COR. FIFTH AND WALNUT STS.

Cincinnati, February 18<sup>th</sup> 1880.

Mr. Middleton, Esq., Washington, D. C.  
 Clerk of the Supreme Court, U. S.

Dear Sir:

Your favor of the 16<sup>th</sup> enclosing  
 an itemized cost bill, is just at hand. We have  
 sent to our client with a request to remit us the  
 money for payment of the same at once. He  
 asks for a few days delay, which we hope you will  
 grant, as he is taken entirely by surprise by the  
 insolvency of the defendant, and the insolvency of  
 her surety for costs.

Yours very truly  
 Taft & Lloyd

Baker  
 vs  
 Selden } #95.



"A"

# AUDITOR'S RECORD.

DISBURSEMENTS.  
COUNTY CLERK.

RECEIPTS.

DATE	NO.	AMOUNT	TO	FOR	AUTHORITY	DATE	NO.	AMOUNT	OF	FOR	AUTHORITY
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## CONDENSED LEDGER.

CARRIED FORWARD,







# CONDENSED LEDGER.

BROUGHT FORWARD.		DISTRIBUTION.		DATE: from		to		inclusive.	TOTALS.		BALANCES.					
Dr.	Cr.	Dr.	Cr.	Dr.	SUNDRIES	to	SUNDRIES.	Cr.	Dr.	Cr.	Dr.	Cr.				
<div>TREASURER.</div> <table><tr><td>Dr.</td><td>Cr.</td></tr><tr><td>\$</td><td>\$</td></tr></table>													Dr.	Cr.	\$	\$
Dr.	Cr.															
\$	\$															
State Revenue, County Revenue, Township Revenue, Road Revenue, County Asylum, County Infirmary, Redemptions, Refunders, Duplicate, Common School Fund, Special School Tax, Surplus Revenue Principal, Sinking Fund do. Bank Tax do. do. Saline do. do. Fines & Forfeitures Fund Prin., Surplus Revenue Interest, Sinking Fund do. Bank Tax do. do. Saline do. do. Fines & Forfeitures Fund Interest, Congressional Fund Principal, Congressional do. Interest, Agricultural Fund, Coroner's Inquests, Peddlers' License, Shew License, Liquor License, Docket Fee Fund, Treasurer's Fees,																
CARRIED FORWARD,																

098

FLOATING ORDERS.



AFFIDAVIT OF F.M. SWINGLY,

FILED SEPT. 7TH, 1875.

THE STATE OF OHIO,  
CRAWFORD COUNTY, SS.

BUCYRUS, OHIO,

AUG. 27TH, 1875.

FREDERICK M. SWINGLY, BEING DULY SWORN, SAYS: I  
AM 29 YEARS OLD; MY RESIDENCE IS BUCYRUS, OHIO; MY OCCUPA -  
TION IS COUNTY AUDITOR OF CRAWFORD COUNTY, OHIO; I HAVE BEEN  
AUDITOR SINCE NOVEMBER 1873; I WAS DEPUTY AUDITOR OF THIS  
COUNTY FOR SEVEN YEARS PRIOR TO MY ELECTION AS COUNTY AUDITOR;  
I HAVE EXAMINED SHEETS OF BOOKS COPYRIGHTED BY CHAS.  
SELDEN FOR COUNTY AUDITORS AND TREASURERS, A PORTION OF SAID  
SHEETS ARE HERETO ATTACHED, MARKED 'A' & 'B'; I HAVE USED  
BOOKS PUBLISHED BY W.C.M. BAKER FOR THE ABOVE NAMED PURPOSES.  
THE BOOKS OF SAID BAKER ARE MATERIALLY DIFFERENT FROM THOSE  
OF CHARLES SELDEN; THE PLAN AND ARRANGEMENT OF THE BOOKS OF  
CHAS. SELDEN ARE SUCH THAT THEY WOULD NOT BE USED IN THIS COUNTY  
BY ME, NEITHER CHAS. SELDEN NOR HIS REPRESENTATIVES HAVE SUS-  
TAINED DAMAGE FROM THE INTRODUCTION AND USE OF THE BOOKS OF  
THE SAID BAKER IN THIS COUNTY. THE BOOKS OF W.C.M. BAKER,  
BEARING DATE OF COPYRIGHT 1875 ARE IN NO WAY AN EVASION NOR  
AN INFRINGEMENT OF THE BOOKS OF CHAS. SELDEN.

F.M. SWINGLY.

AUDITOR,  
CRAWFORD CO., OHIO.

AFFIDAVIT OF J.F. SMITH, FILED SEPT. 7TH, 1875.

-OVER-



# United States of America, ss:

The President of the United States of America,

To the Honorable the Judges of the Circuit Court  
of the United States for the Southern District  
of Ohio.

greeting:

Whereas, lately in the Circuit Court of the United States  
for the Southern District of Ohio, before you,  
or some of you, in a cause between Elizabeth Selden Com-  
plainant and William C. McPacker defend-  
ant wherein the decree of the said Circuit  
Court entered in said cause on the 21<sup>st</sup>  
day of January, A.D. 1875. is in the fol-  
lowing words viz:

"It is ordered adjudged and  
decreed that the defendant do forever  
refrain and be perpetually restrained  
and prohibited either by himself, his  
workman, agents or assistants, from print-  
ing publishing, selling offering for sale  
or in any other manner disposing of or  
causing to be used any copy or copies of the  
books so published by him as aforesaid,  
or either in whole or in part, the portions  
of said book taken from the said Selden  
system as aforesaid; and that to this end a  
writ of injunction be, and is awarded  
against the defendant."



as by the inspection of the transcript of the record \_\_\_\_\_

\_\_\_\_\_ of the said Circuit  
Court, which was brought into the Supreme Court of the United States by  
virtue of an appeal \_\_\_\_\_

agreeably to the act of Congress, \_\_\_\_\_

\_\_\_\_\_ in such case made and provided, fully and at large appears,



And whereas, in the present term of October, in the year of our Lord one thousand eight hundred and seventy- *nine*, the said cause came on to be heard before the said Supreme Court, on the said transcript of record, and was argued by counsel: On consideration whereof, it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs; and that the said defendant recover against the said complainant Elizabeth B. Selden.

for his costs herein expended and have execution therefor.

And it is further ordered that this cause be, and the same is hereby remanded to the said Circuit Court with directions to dismiss the Complainant's bill. 19 January 1880.



You, therefore, are hereby commanded that such ~~Execution~~ further proceedings be had in said cause, in conformity with the opinion & decree of the Court as according to right and justice, and the laws of the United States, ought to be had, the said *appeal* notwithstanding.

Witness the Honorable Morrison R. Waite, Chief Justice of said Supreme Court, the \_\_\_\_\_ day of \_\_\_\_\_, in the year of our Lord one thousand eight hundred and \_\_\_\_\_

COSTS OF— *defendant*

Clerk . . . . \$

Attorney . . . \$

\$

Taxed by

*James H. McKim*  
Clerk of the Supreme Court of the United States.

No.

*95*

October Term, 1879.

MANDATE

SUPREME COURT UNITED STATES.

*Dexter v. Chatham.*